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Attorneys for Plaintiffs

SUPERIOR COURT OF CALIFORNIA

COUNTY OF SAN FRANCISCO

LAURENCE TAIN, D.C.; DONALD NIELSEN, D.C.; )  
 ROBERT BITTERS, D.C.; STEPHANIE )  
 WATTENBERG, D.C.; and LORI PRESCOTT, D.C. )

NO: CGC-03-419378

Plaintiffs/Petitioners, )

v. )

STIPULATION RE  
 CONTENTS OF  
 JOINT APPENDIX

STATE BOARD OF CHIROPRACTIC EXAMINERS; )  
 CALIFORNIA ACUPUNCTURE BOARD; THE )  
 COUNCIL ON CHIROPRACTIC EDUCATION, INC.; )  
 and DOES 1 to 20 )

Defendants/Respondents. )

To the Clerk of the Court:

THE PARTIES HEREBY STIPULATE, through their respective counsel or record,  
 that copies of the following documents and papers constitute the joint appendix to be used in  
 lieu of a clerk’s transcript, pursuant to California Rule of Court, Rule 5.1:

<u>Document Title and Description</u>	<u>Filing Date</u>
1. Notice of Partial Appeal; Election to Proceed under California Rule of Court 5.1	May 17, 2004
2. Notice of Intention to Proceed without a Reporter’s Transcript; California Rules of Court, Rule 4	May 28, 2004

3. Judgment by Court Under CCP § 437C as to State Board of Chiropractic Examiners and California Acupuncture Board April 20, 2004
4. Second Amended Complaint for Declaratory Relief, Injunctive Relief, and Writ of Mandate August 15, 2003
5. Defendant and Respondent California Board of Chiropractic Examiners' Demurrer to Plaintiffs' and Petitioners' Second Amended Complaint for Declaratory Relief, Injunctive Relief, and Writ of Mandate September 18, 2003
6. California Board of Chiropractic Examiners' Points and Authorities in Support of Demurrers to Second Amended Complaint for Declaratory Relief, Injunctive Relief, and Writ of Mandate September 18, 2003
7. Defendant California Acupuncture Board's Memorandum of Points and Authorities in Support of Demurrer to Plaintiffs' Second Amended Complaint September 18, 2003
8. Points and Authorities in Opposition to the General Demurrers of the California Board of Chiropractic Examiners to the Plaintiffs' Second Amended Complaint October 17, 2003
9. Points and Authorities in Opposition to the General Demurrers of the California Acupuncture Board to the Plaintiffs' Second Amended Complaint October 17, 2003
10. California Board of Chiropractic Examiners' Reply to Plaintiffs' Opposition to Demurrer to Second Amended Complaint for Declaratory Relief, Injunctive Relief, and Writ of Mandate October 24, 2003
11. Defendant California Acupuncture Board's Closing Memorandum of Points and Authorities in Support of Demurrer to Plaintiffs' Amended Complaint October 24, 2003
12. Minute Order Re - Case Management Conference, Demurrers, Judicial Notice, and Pro Hac Vice Application October 29, 2003
13. Defendant and Respondent Board of Chiropractic Examiners' Answer to Second Amended Complaint November 12, 2003
14. Notice of Defendant and Respondent Board of Chiropractic Examiners' Motion for Summary Judgment or, in the alternative Summary Adjudication November 12, 2003
15. Separate Statement of Undisputed Material Facts in Support of Defendant and Respondent Board of Chiropractic Examiners' Motion for Summary Judgment or, in the Alternative, Summary Adjudication November 12, 2003

16. Memorandum of Points and Authorities in Support of Defendant and Respondent Board of Chiropractic Examiners' Motion for Summary Judgment or, in the Alternative Summary Adjudication November 12, 2003
17. Declaration of Jeanine Smith in Support of Defendant and Respondent Board of Chiropractic Examiners' Motion for Summary Judgment or, in the Alternative, Summary Adjudication November 12, 2003
18. Request for Judicial Notice in Support of Defendant and Respondent Board of Chiropractic Examiners' Motion for Summary Judgment or, in the Alternative Summary Adjudication: November 12, 2003
- Exhibit B: Certificate of Licensure of Lawrence Tain, D.C.
- Exhibit C: Certificate of Licensure of Robert F. Bitters, D.C.
- Exhibit D: Certificate of Licensure of Lori Prescott, D.C.
- Exhibit E: Certificate of Licensure of Don N. Nielsen, D.C.
- Exhibit F: Certificate of Licensure of Stephanie Wattenberg, D.C.
- Exhibit G: Title 16, California Code of Regulation section 330, *et seq.*
- Exhibit H: Title 16, California Code of Regulation section 340, *et seq.*
19. Defendant California Acupuncture Board's Memorandum of Points and Authorities in Support of Motion for Summary Judgment and/or Summary Adjudication of Issues November 12, 2003
20. Case Management Statement filed Jointly by the Defendants Board of Chiropractic Examiners and the California Acupuncture Board December 8, 2003
21. Response of Plaintiffs to Separate Statement of Disputed and Undisputed Facts of the State Board of Chiropractic Examiners January 15, 2004
22. Plaintiffs' Memorandum of Points & Authorities in Opposition to the State Board of Chiropractic Examiner's Motion for Summary Judgment, or in the Alternative, Summary Adjudication January 15, 2004
23. Request for Judicial Notice in Support of Plaintiffs' Opposition to Motions for Summary Judgment/Adjudication of Defendants State Board of Chiropractic Examiners & California Acupuncture Board, Volume I (1 of 3): January 15, 2004
- Exhibit A: Declaration of David Prescott in Support of admission of Certain Exhibits listed below and as identified in said Declaration.

Exhibit B: “ENGROSSED STATEMENT ON APPEAL” in the Case of *People v. Fowler* (1938) 32 Cal.App.2d (Supp) 121.

Exhibit C: “PRE-TRIAL ORDER & JOINT PRE-TRIAL STATEMENT” from the trial court record in the case of *Crees v. Board of Medical Examiners* (1963) 213 Cal.App.2d 195.

Exhibit D: “Medical Board of California – Affiliated Healing Art”; definitions of education and training for “medical assistants” and their practice rights relative to the use of hypodermic syringes and needles, etc.

Exhibit F: 1922 Ballot Initiative Measure 16, Chiropractic Act (slightly Enlarged – for legibility purposes)

Exhibit G: Register 54, No. 10 - 5-8-54, Title 16, Rule 302 (1954 version)

Exhibit H: 1920 version of 1913 Medical Practice Act (MPA), 1907 MPA (with 1909 amendment thereto), 1901 Osteopathic Act, and the 1876 MPA.

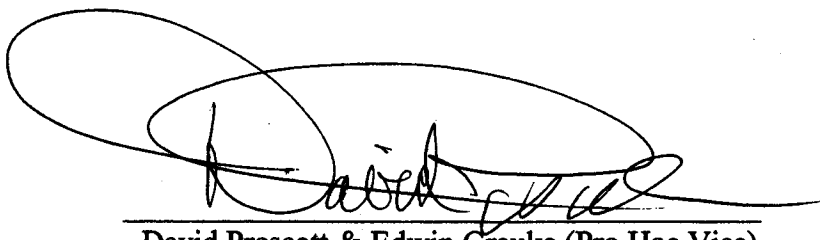
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| 24. The State Board of Chiropractic Examiners’ Response to Plaintiffs’ Request for Judicial Notice   | January 23, 2004 |
| 25. Plaintiffs’ Memorandum of Points & Authorities in Opposition to the California Acupuncture Board’s Motion for Summary Judgment and/or Summary Adjudication of Issues | January 15, 2004 |
| 26. Response to Plaintiffs’ Separate Statement of Disputed and Undisputed Facts of the State Board of Chiropractic Examiners   | January 23, 2004 |
| 27. Reply Memorandum in Support of Defendant and Respondent Board of Chiropractic Examiners’ Motion for Summary Judgment or, in the Alternative, Summary Adjudication    | January 23, 2004 |
| 28. Stipulation and Order Re Settlement (settlement between plaintiffs and defendant Council on Chiropractic Education)  | March 18, 2004   |
| 29. Dismissal with Prejudice – Third Cause of Action to the Second Amended Complaint as to the Council of Chiropractic Education only                                    | May 28, 2004     |
| 30. Stipulation Re Contents of Joint Appendix  |                  |

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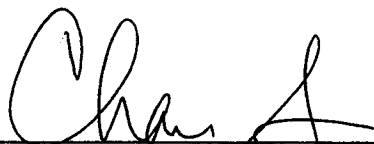
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Dated: JULY 6, 2004



David Prescott & Edwin Grauke (Pro Hac Vice)  
VERITAS JUSTICE & BIOETHICS INSTITUTE  
Attorneys for Plaintiffs/Appellants

Dated: 7/1, 2004



Char Sachson, Deputy Attorney General  
Attorney General of the State of California  
Attorneys for State Board of Chiropractic  
Examiners